

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BARBARA FERNANDEZ, :
: Plaintiff, : 21-CV-680 (JGLC) (OTW)
: :
: -against- : **ORDER**
: :
CITY OF NEW YORK, et al., :
: Defendants. :
: :
-----x

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of Plaintiff's letter motion to compel at ECF 92, and Defendants' response at ECF 95.

Plaintiff's motion to compel is **DENIED**. This case hinges on a fact-intensive inquiry: whether the arresting officer had probable cause to arrest Plaintiff for assault on March 13, 2019, and what actions the officer reasonably believed were necessary. The 30(b)(6) deposition from which this motion to compel arises concerned training received by police officers with respect to N.Y. Penal Law § 35.10 and its restrictions on the use of physical force by parents or guardians to maintain discipline or promote the welfare of a child. The police academy training materials Plaintiff seeks to compel concern the use of force *by police officers, not by parents or guardians*, which is what is at issue here. Thus, the document requests made by Plaintiff are neither relevant nor proportional here.

The discovery deadlines in this case have now been extended multiple times. See ECF Nos. 83, 88, 91. The parties are directed to file a joint status letter by **April 19, 2024** informing

the Court about what discovery, if any, is still outstanding in this case, with citations to the transcript of the status conference held by the Court on January 10, 2024.

The Clerk of Court is respectfully directed to close ECF 92.

SO ORDERED.

s/ Ona T. Wang

Dated: April 8, 2024
New York, New York

Ona T. Wang
United States Magistrate Judge